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IN THE

Supreme Court of the United States

OCTOBER TERM, 1930.

No. 618.

UNITED STATES OF AMERICA, EX REL., ETHEL M. McLENNAN, *Petitioner*,

v.

RAY LYMAN WILBUR, *Secretary of the Interior.*

No. 676.

UNITED STATES OF AMERICA, EX REL., H. H. SIMPSON, *Petitioner*,

v.

RAY LYMAN WILBUR, *Secretary of the Interior*, AND CHARLES C. MOORE, *Commissioner of the General Land Office.*

No. 704.

UNITED STATES OF AMERICA, EX REL., ROY G. BARTON, *Petitioner*,

v.

RAY LYMAN WILBUR, *Secretary of the Interior.*

No. 743.

UNITED STATES OF AMERICA, EX REL., W. P. PYRON, *Petitioner*,

v.

RAY LYMAN WILBUR, *Secretary of the Interior*, AND CHARLES C. MOORE, *Commissioner of the General Land Office.*

AMICI CURIAE.

State of Montana,
By: L. A. Foot,
Its Attorney General.
State of Wyoming,
By: J. A. Greenwood,
Its Attorney General.
State of New Mexico,
By: E. K. Neumann,
Its Attorney General.
State of Utah,
By: George P. Parker,
Its Attorney General.
State of Colorado,
By: Clarence L. Ireland,
Its Attorney General.
Of Counsel:
Peter Q. Nyce.

PRESS OF BYRON S. ADAMS, WASHINGTON, D. C.

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MOTION TO ADVANCE.

Come now the petitioners in the above entitled causes and move that they be advanced for early

hearing, and in support of their motion make the following brief statement of the matters involved and the reasons relied on for the advancement:

1. The question involved is whether there has been such a withdrawal of the public lands of the United States as to warrant the Secretary of the Interior in suspending the Leasing Act of February 25, 1920 (41 Stat. 437, U. S. C. A. Title 30, Sections 181, *et seq.*) by refusing to issue oil and gas prospecting permits thereunder.

2. The question involved in these cases is of great and general importance to the so-called public land States including the States of Wyoming, Utah, Colorado, New Mexico and Montana, which said States appear as *amici curiae* in this litigation. These States have been and are being irreparably injured through loss of revenues which would accrue to said States under Section 37 of the General Leasing Act. Such loss of revenues and deprivation of the rights of said States will necessarily continue until the above cases are disposed of by this Court.

3. The administration of the Leasing Act by the Department of the Interior involving several million acres of public domain is in a confused state, and until the law has been finally determined, its orderly administration cannot be had.

4. Approximately two hundred similar cases to these are now pending in the Supreme Court of the District of Columbia awaiting the decision of this Court on the questions involved herein.

WHEREFORE, petitioners pray that these cases

be advanced upon the calendar and assigned for hearing at an early date.

Respectfully submitted,

UNITED STATES OF AMERICA, EX REL., ETHEL M. MCLENNAN, *Petitioner*,
By: LEWIS EDWIN HOFFMAN,
CHESTER I. LONG,
her Counsel.

UNITED STATES OF AMERICA, EX REL., H. H. SIMPSON, *Petitioner*,
By: HOMER HENDRICKS,
DONALD V. HUNTER,
JAMES C. SHEPHERD,
his Counsel.

UNITED STATES OF AMERICA, EX REL., ROY G. BARTON, *Petitioner*,
By: JAMES CONLON,
his Counsel.

UNITED STATES OF AMERICA, EX REL., W. P. PYRON, *Petitioner*,
By: JAMES LEOVY,
JOHN W. FISHER,
his Counsel.

REQUEST OF STATES THAT MOTION TO ADVANCE BE GRANTED.

The States of Wyoming, Utah, Colorado, New Mexico and Montana, by their Attorneys General, hereby adopt the motion to advance filed in the above cases and urge that said cases be heard at an early date.

STATE OF UTAH,
By: GEORGE P. PARKER,
Its Attorney General.

STATE OF COLORADO,
By: CLARENCE L. IRELAND,
Its Attorney General.

STATE OF MONTANA,
By: L. A. FOOT,
Its Attorney-General.

STATE OF WYOMING,
By: J. A. GREENWOOD,
Its Attorney General.

STATE OF NEW MEXICO,
By: E. K. NEUMANN,
Its Attorney General.

Of Counsel:
PETER Q. NYCE.